

WAGSTAFF LAW FIRM
Sommer D. Luther, CO 35053
940 Lincoln Street
Denver, CO 80203
Tel: (720) 208-9417
Fax: (303) 376-6361
sluther@wagstafflawfirm.com

Attorney for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

C.B. v. Uber Technologies, Inc., et al.
No. 3:25-cv-01961-CRB

Case No. 3:23-md-03084-CRB

Honorable Charles R. Breyer

**PLAINTIFFS' RESPONSE TO UBER'S
MOTION TO DISMISS CASES FOR
FAILURE TO COMPLY WITH PTO 5**

Date: October 3, 2025
Time: 10:00 a.m.
Courtroom: 6 – 17th Floor

I. INTRODUCTION

On August 12, 2025, Defendants filed a Motion to Dismiss cases of Plaintiffs who did not file a bona fide ride receipt or a ride information sheet in connection with Pretrial Order (“PTO”) 5. (Doc. 3682). Counsel acknowledges and understands that under PTO 5, the Court has created procedures and deadlines to produce a ride receipt.

II. ARGUMENT

a. Plaintiff C.B. v. Uber Technologies, Inc., et al., No. 3:25-cv-01961-CRB should not be dismissed.

Counsel produced a ride receipt for C.B. on August 26, 2025, and this claim should therefore be removed from consideration of Defendant's Motion, rendering its inclusion moot in lieu of PTO 5.

III. CONCLUSION

Plaintiffs request that *C.B. v. Uber Technologies, Inc., et al.*, No. 3:25-cv-01961-CRB be removed from Defendants' Motion to Dismiss as having fulfilled her obligation under PTO 5.

Dated: August 26, 2025

Respectfully submitted,

/s/ Sommer D. Luther
WAGSTAFF LAW FIRM
Sommer D. Luther, CO 35053
940 Lincoln Street
Denver, CO 80203
Tel: (720) 208-9417
Fax: (303) 376-6361
sluther@wagstafflawfirm.com
Attorney for Plaintiff

1
2 **CERTIFICATE OF SERVICE**
3

4 I hereby certify that on August 26, 2025, I electronically filed the following with the Clerk of the
5 Court using the CM/ECF system, which will send notification of such filing via electronic mail to all
6 counsel of record as maintained in the CM/ECF electronic system.
7

8 Dated: August 26, 2025
9

10 */s/ Sommer D. Luther*
11 **WAGSTAFF LAW FIRM**
12 Sommer D. Luther, CO 35053
13 940 Lincoln Street
14 Denver, CO 80203
15 Tel: (720) 208-9417
16 Fax: (303) 376-6361
17 sluther@wagstafflawfirm.com
18 *Attorney for Plaintiff*
19
20
21
22
23
24
25
26
27
28

1 **MICHAEL B. SHORTNACY**
mshortnacy@shb.com
2 **CHRISTOPHER C. COTTON**
ccotton@shb.com

3 *Attorneys for Defendants – UBER TECHNOLOGIES, INC., RASIER LLC, and RASIER-CA, LLC*

4 [X] **BY ELECTRONIC TRANSMISSION ONLY:** By emailing the document(s) to the persons at
5 the email address(es) listed above. No electronic message or other indication that the transmission
6 was unsuccessful was received within a reasonable time after the transmission.

7 I declare under penalty of perjury under the laws of the State of California that the above is true and
8 correct.

9 Executed August 26, 2025 in Denver, Colorado.

10 */s/ Theresa Fryan* _____
11 Theresa Fryan
12 Paralegal

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28